

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

VALENTIN JEAN-LOUIS,

Plaintiff,

-against-

CARRINGTON MORTGAGE SERVICES, Does 1-10,

Defendants.

Case No. 19-cv-04302 (ILG) (CLP)

New York State Supreme Court
County of Queens

Index No.: 709382/2019

**AFFIDAVIT OF CARRINGTON MORTGAGE SERVICES, LLC IN OPPOSITION TO
PLAINTIFF'S MOTION TO REMAND**

STATE OF CALIFORNIA)
) ss:
COUNTY OF ORANGE)

I, Elizabeth A. Osterman, being duly sworn, hereby depose and state the following under the penalty of perjury:

1. I am employed as a Vice President (Default, SCRA) of Carrington Mortgage Services, LLC ("CMS"), the named defendant in the above-captioned action. I submit this Affidavit on behalf of CMS in opposition to Plaintiff's motion to remand (the "Motion") [ECF 11].

2. I have access to and have reviewed the business records and documents kept by CMS relevant to CMS's citizenship and the citizenship of CMS's members. Based upon my review of the such records, I have personal knowledge and am fully familiar with the facts set forth herein, and make this affidavit based upon such personal knowledge.

3. CMS is a Delaware limited liability company with its principal place of business in Anaheim, California.

4. CMS's members are Carrington Holding Company, LLC and Carrington Investment Partners, L.P.

5. Carrington Holding Company, LLC is a Delaware limited liability company with its principal place of business in Greenwich, Connecticut, whose sole member is The Carrington Companies, LLC.

6. Carrington Investment Partners, L.P. is a Delaware limited partnership with its principal place of business in Greenwich, Connecticut, whose sole general partner is Carrington Capital Management, LLC and whose sole limited partner is a private individual who is a citizen of the State of Connecticut.

7. Carrington Capital Management, LLC is a Delaware limited liability company with its principal place of business in Greenwich, Connecticut, whose members are Carrington Holding Company, LLC and a private individual who is a citizen of the State of Tennessee.

8. The Carrington Companies, LLC is a Delaware limited liability company with its principal place of business in Greenwich, Connecticut, whose members are three private individuals who are citizens of the States of Connecticut, California and Tennessee.

9. CMS is not a citizen of the State of New York.

By: 

Name: Elizabeth A. Osterman

Title: Vice President (Default, SCRA)

Carrington Mortgage Services, LLC

Date: 8/28/2019

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CALIFORNIA ALL – PURPOSE

CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Orange

On 8/28/2019 before me, Wheny Wulandari, Notary Public, personally appeared Elizabeth A. Ostermann who proved to me on the basis of satisfactory evidence to be

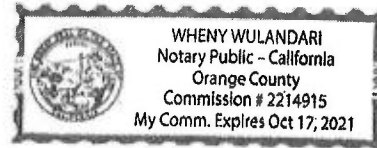
the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/ her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Wheny Wulandari



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT	
<u>Affidavit</u>	
(Title or description of attached document)	
(Title or description of attached document continued)	
Number of Pages _____	Document Date _____
(Additional information)	

CAPACITY CLAIMED BY THE SIGNER	
<input type="checkbox"/> Individual (s)	
<input type="checkbox"/> Corporate Officer	
(Title)	
<input type="checkbox"/> Partner(s)	
<input checked="" type="checkbox"/> Attorney-in-Fact	
<input type="checkbox"/> Trustee(s)	
<input type="checkbox"/> Other _____	

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CALIFORNIA JURAT

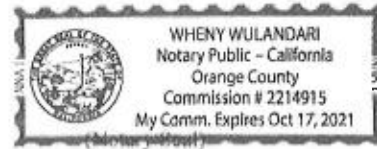
State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on this 28 day of August 2019
by Elizabeth A. Ostermann, proved to me on the basis of
satisfactory evidence to be the person who appeared before me.

Signature

(Wheny Wulandari)



OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Affidavit

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

(Additional information)

INSTRUCTIONS FOR COMPLETING THIS FORM

The wording of all Jurats completed in California after January 1, 2008 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
 - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document

CERTIFICATE OF CONFORMITY

STATE OF California

COUNTY OF Orange

The undersigned does hereby certify that s/he is an attorney at law duly admitted to practice in the State of California and is a resident of Seal Beach, in the State of California; that s/he is a person duly qualified to make this certificate of conformity pursuant to Section 299-a of the Real Property Law of the State of New York; that s/he is fully acquainted with the laws of the State of California pertaining to the acknowledgment or proof of deeds of real property to be recorded therein; that the foregoing acknowledgment by Elizabeth A. Ostermann named in the foregoing instrument taken before Wheny Wulandari, a notary in the State of California was taken in the manner prescribed by such laws of the State of California, being the State in which it was taken; and that it duly conforms with such laws and is in all respects valid and effective in such state.



(attorney signature)

Chuck Houston

Attorney at law for the State of California
California Bar Number 199275

(notary signature and stamp)